

Statutory Document No. 661/2012



NATIONALITY, IMMIGRATION AND ASYLUM ACT 2002

**IMMIGRATION APPEALS (FAMILY VISITOR)  
REGULATIONS 2012**

*Laid before Tynwald: 20 NOVEMBER 2012*  
*Coming into Operation: 1 December 2012*

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The Governor makes the following Regulations under sections 90(2) and 112(1) of the Nationality, Immigration and Asylum Act 2002 (of Parliament)<sup>1</sup> as they have effect in the Isle of Man<sup>2</sup>.

**1 Title**

These Regulations are the Immigration Appeals (Family Visitor) Regulations 2012.

**2 Commencement**

These Regulations come into operation on 1 December 2012

**3 Class or description of person who may be visited**

- (1) For section 90(1) of the Nationality, Immigration and Asylum Act 2002, (of Parliament), as it has effect in the Isle of Man, a “member of the applicants family” means the applicant’s –
- (a) spouse, civil partner, father, mother, son, daughter, grandfather, grandmother, grandson, granddaughter, brother or sister;
  - (b) -father-in-law, mother-in-law, brother-in-law or sister-in-law;
  - (c) son-in-law or daughter-in-law; or
  - (d) stepfather, stepmother, stepson, stepdaughter, stepbrother or stepsister; or
  - (e) a person with whom the applicant has lived as a member of an unmarried or same sex couple for at least 2 years before the making of the application, if the relationship is genuine and subsisting.

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<sup>1</sup> 2002 c.41

<sup>2</sup> SI 2008/680



- (2) A reference in paragraph (1)(b),(c) or (d) to a type of relationship includes a reference to a relationship of that type subsisting because of a civil partnership.

**4 Circumstances of the person to be visited**

Also, the member of the applicant's family as defined under regulation 3 must be settled in the Isle of Man as defined in paragraph 6 of the Immigration Rules<sup>3</sup>.

**5 Transitional provision**

These Regulations apply only to an application for entry clearance made on or after [date of commencement]

MADE

30<sup>th</sup> October 2012



Lieutenant Governor

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EXPLANATORY NOTE

These Regulations define who is to be regarded as a member of the applicant's family for the purposes of section 90 of the Nationality, Immigration and Asylum Act 2002 (an Act of Parliament), as it has effect in the Isle of Man, which gives a person who seeks to enter the Isle of Man as a visitor the right of appeal against a refusal of entry clearance only if the application for entry clearance was made for the purpose of visiting a member of his family.

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<sup>3</sup> SD 62/05 as amended